

ATTACHMENT 4

UNITED STATES SENTENCING COMMISSION
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To all recipients of the *Guidelines Manual*:

As Chair of the United States Sentencing Commission, I am pleased to transmit this edition of the *Guidelines Manual*, which incorporates new guidelines and amendments effective November 1, 2015. This edition of the *Guidelines Manual* reflects recent actions of the Commission, including among other things the following:

- **Changes to the Fraud Guideline Involving Victims and Individual Culpability**
 - › The Commission revised the victim enhancement in §2B1.1 to incorporate substantial financial hardship to victims as a sentencing factor, placing greater emphasis on the extent of harm and ensuring that the defendant will receive a higher sentence when even one victim suffered a substantial financial harm
 - › The Commission made changes to the sophisticated means enhancement and the definition of “intended loss” to focus more specifically on the defendant’s individual culpability
- **Adjustment to Monetary Tables to Account for Inflation**
 - › The Commission made changes to the monetary tables in §§2B1.1, 2B2.1, 2B3.1, 2R1.1, 2T4.1, 5E1.2, and 8C2.4 to account for inflation
- **New Marihuana Equivalency for Hydrocodone Based on Weight Alone**
 - › The Commission raised penalties on hydrocodone offenses to address the rescheduling of hydrocodone from less-restricted Schedule III to the more-restricted Schedule II
 - › The Commission determined that hydrocodone penalties should be based not on the weight of the pills involved but on the weight of the hydrocodone alone, and adopted a marihuana equivalency for “hydrocodone (actual)” that is the same as the existing equivalency for oxycodone (actual)
- **Additional Guidance for the Application of the Mitigating Role Adjustment**
 - › The Commission identified certain issues in §3B1.2 that may have been discouraging courts from applying a mitigating role adjustment and provided additional guidance in determining whether an adjustment applies

2014 18 USCS Appx § 2B1.1

2014 United States Code Archive

UNITED STATES CODE SERVICE > TITLE 18. CRIMES AND CRIMINAL PROCEDURE
 > SENTENCING GUIDELINES FOR THE UNITED STATES COURTS. 18 USCS APPENDIX
 > CHAPTER TWO. OFFENSE CONDUCT > PART B. BASIC ECONOMIC OFFENSES > 1.
 THEFT, EMBEZZLEMENT, RECEIPT OF STOLEN PROPERTY, PROPERTY DESTRUCTION, AND
 OFFENSES INVOLVING FRAUD OR DECEIT

§ 2B1.1. Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States

(a) Base Offense Level:

- (1) 7, if (A) the defendant was convicted of an offense referenced to this guideline; and
 (B) that offense of conviction has a statutory maximum term of imprisonment of 20
 years or more; or
- (2) 6, otherwise.

(b) Specific Offense Characteristics

- (1) If the loss exceeded \$ 5,000, increase the offense level as follows:

Loss (Apply the Greatest)	Increase in Level
(A) \$ 5,000 or less	No increase
(B) More than \$ 5,000	add 2
(C) More than \$ 10,000	add 4
(D) More than \$ 30,000	add 6
(E) More than \$ 70,000	add 8
(F) More than \$ 120,000	add 10
(G) More than \$ 200,000	add 12
(H) More than \$ 400,000	add 14
(I) More than \$ 1,000,000	add 16
(J) More than \$ 2,500,000	add 18
(K) More than \$ 7,000,000	add 20
(L) More than \$ 20,000,000	add 22
(M) More than \$ 50,000,000	add 24
(N) More than \$ 100,000,000	add 26
(O) More than \$ 200,000,000	add 28
(P) More than \$ 400,000,000	add 30.